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Save Our Serenova
& The Commenters Group
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09/05/2019

Permit Application Number SAJ-2011-00551 (SP-TSH)

Formerly: SAJ-2011-00551 (IP-TEH)

Formerly: SAJ-1998-2682 (IP-MN); Ridge Road Extension (RRE)

Colonel Andrew D. Kelly
Commander, Jacksonville District
U.S. Army Corps of Engineers
701 San Marco Blvd.
Jacksonville, FL 32207-8175

Shawn Zinszer,
Chief, Regulatory Division
Jacksonville District
U.S. Army Corps of Engineers
701 San Marco Blvd.
Jacksonville, FL 32207-8175

Jay Herrington,
Field Office Supervisor
U. S. Fish & Wildlife Service
North Florida Ecological Services Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Heath Rauschenberger
Deputy Field Supervisor
U. S. Fish & Wildlife Service
North Florida Ecological Services Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Annie Dziergowski,
Project Consultant Supervisor
U. S. Fish & Wildlife Service
North Florida Ecological Services Office
7915 Baymeadows Way, Suite 200
Jacksonville, FL 32256-7517

Dear Colonel Kelly, Regulatory Chief Zinszer, USFWS Field Office Supervisor Herrington, Deputy Field Supervisor Rauschenberger and Project Consultant Supervisor Dziergowski,

Please put this Comment # 32 into the Administrative Record.

INTRODUCTION

LAST MINUTE ADDITION OF 3.5 MORE AS YET UNKNOWN ACRES OF DIRECT WETLAND IMPACTS (AT LEAST WE THINK THEY ARE DIRECT) TO BE ADDED TO THE CURRENT 37.38 ACRES LISTED BY THE USACE IN THE 2018 PUBLIC NOTICE AND THE OFFICIAL PASCO RRE WEBSITE TO NOW EQUAL 40.88 ACRES OF DIRECT WETLAND IMPACTS FOR THE RRE MOD 7A.

FIRST THE EVIDENCE REGARDING THE ADDITIONAL 3.5 ACRES OF DIRECT IMPACT. FOLLOWING THT WILL BE THE EVIDENCE OF THE ADDITIONAL 207 ACRES MOL OF CUMULATIVE (INDIRECT) IMPACTS JUST REVEALED IN PASCO'S 06/2019 REVISED CUMULATIVE IMPACTS REPORT TO BE CAUSED BY THE NEW FULL ACCESS TO PHASE 2.

WE HAVE JUST DISCOVERED IN A 07/11/2019 EMAIL EXCHANGE CITED BELOW BETWEEN PASCO'S PROJECT MANAGER SAM BENECK AND JOHN BAILEY, SENIOR PROJECT SCIENTIST FOR CARDNO, AND SAM'S BOSS MARGARET SMITH, WHERE CARDNO'S JOHN BAILEY STATES THAT AN ADDITIONAL AS YET UNREPORTED 3.5 ACRES OF WETLAND IMPACTS WILL BE CAUSED BY FTE'S FENCING ON BOTH SIDES OF THE 1-MILE LONG INTERCHANGE (SEE BELOW). SAM BENECK ASKED THE FTE'S PERMIT COORDINATOR FRED GAINES IF THE FTE COULD MOVE THAT TWO MILES OF FENCING (BOTH SIDES NEAR THE ROW) TO AVOID THOSE ADDITIONAL IMPACTS. THE FTE SAID "NO."

COMMENT INSERT—IN MR. BENECK'S EMAIL BELOW HE MISSPELLED FRED GAINES AS "GAINS."

From: Sam Beneck <sbeneck@pascocountyfl.net>

Sent: Thursday, July 11, 2019 10:47 AM

To: John Bailey <John.Bailey@cardno.com>; Bret Bennett <Bret.Bennett@nv5.com>

Subject: RE: RRE - fence at FTE ROW through wetlands

I'm not sure it is resolved. I'm on a call with Fred Gains and USACE now **and Mr. Gains has reported that he confirmed "the fence cannot be moved."**

We just need to figure out what reality is and address it. Any support would be helpful.

Cheers,

AND 2 HOURS LATER ANOTHER EMAIL SENT BY SAM BENECK:

Sent: Thursday, July 11, 2019 12:40 PM

To: 'John Bailey'; Bret Bennett

Subject: RE: RRE - fence at FTE ROW through wetlands

That fence is definitely not accounted for. Let's hope they come around to just moving it to the limits of construction. Putting fence at their ROW lops off about 3.5 acre of wetland.

Sam Beneck

Project Manager

Pasco County<<http://www.pascocountyfl.net/>> Project

Management<<http://www.pascocountyfl.net/Index.aspx?NID=257>>

Cell: (727) 753-8194

Extension: 1614

5418 Sunset Rd, New Port Richey, FL 34652

sbeneck@pascocountyfl.net<<mailto:sbeneck@pascocountyfl.net>>

COMMENT INSERT—AND THERE HAS BEEN NO MITIGATION PROVIDED FOR THOSE ADDITIONAL 3.5 ACRES OF DIRECT WETLAND IMPACTS.

From: John Bailey [mailto:John.Bailey@cardno.com]
Sent: Thursday, July 11, 2019 9:54 AM
To: Sam Beneck; Bret Bennett
Subject: RE: RRE - fence at FTE ROW through wetlands

Sam: is this issue now resolved? As for the previous question regarding mitigation; I do not believe the fence was accounted for. If it is shown as an impact in the ERP or the ACOE submittals, then mitigation is provided. To my knowledge they are not shown as impacts.

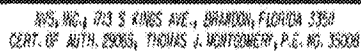
John Bailey
SENIOR PROJECT SCIENTIST
CARDNO
Direct +1 813 257 0008 Mobile +1 813 625 5040 Address 3905 Crescent Park Drive , Riverview, Florida 33578 Email john.bailey@cardno.com<mailto:john.bailey@cardno.com> Web www.cardno.com<https://protect-us.mimecast.com/s/e-WrCqx2qOt8m9rkiXdDdi?domain=cardno.com>

COMMENT INSERT—BELOW IS SCHEMATIC EVIDENCE FROM THE 2018 PUBLIC NOTICE OF THE LOCATIONS OF THOSE ADDITIONAL 3.5 ACRES OF WETLAND IMPACTS ON THE 1-MILE WIDE E/W INTERCHANGE.

THE QUESTION ARISES JUST HOW ANY ESA SECTION 7 FORMAL CONSULTATION WITH THE USFWS CAN BEGIN IF THEIR REQUIREMENT WAS THAT ALL MITIGATION HAD TO BE APPROVED BEFORE ANY CONSULTATION OCCURRED. THERE HAS BEEN NO MITIGATION PROPOSED FOR THOSE ADDITIONAL 3.5 ACRES OF IMPACT SINCE THEY WERE APPARENTLY NEVER REPORTED TO THE ACOE.

THOSE ADDITIONAL IMPACTS APPEAR TO US TO BE DIRECT IMPACTS SINCE THE INTERCHANGE FENCING IS ADJACENT TO, BUT OUTSIDE OF, THE ROW, BUT THAT WILL HAVE TO BE A DETERMINATION MADE BY THE USACE. BELOW ARE 5 IMAGES SHOWING WHERE THE FENCING WILL BE LOCATED. THE FIRST THREE ARE FROM WEST TO EAST BEGINNING ON PHASE 1 AND GOING TO THE INTERCHANGE LIMITS ON PHASE 2. THE LAST TWO ARE FROM THE SOUTHERN AND NORTHERN ENDS OF THAT INTERCHANGE.

DATE PREP. BY	2
C 8886.20	3



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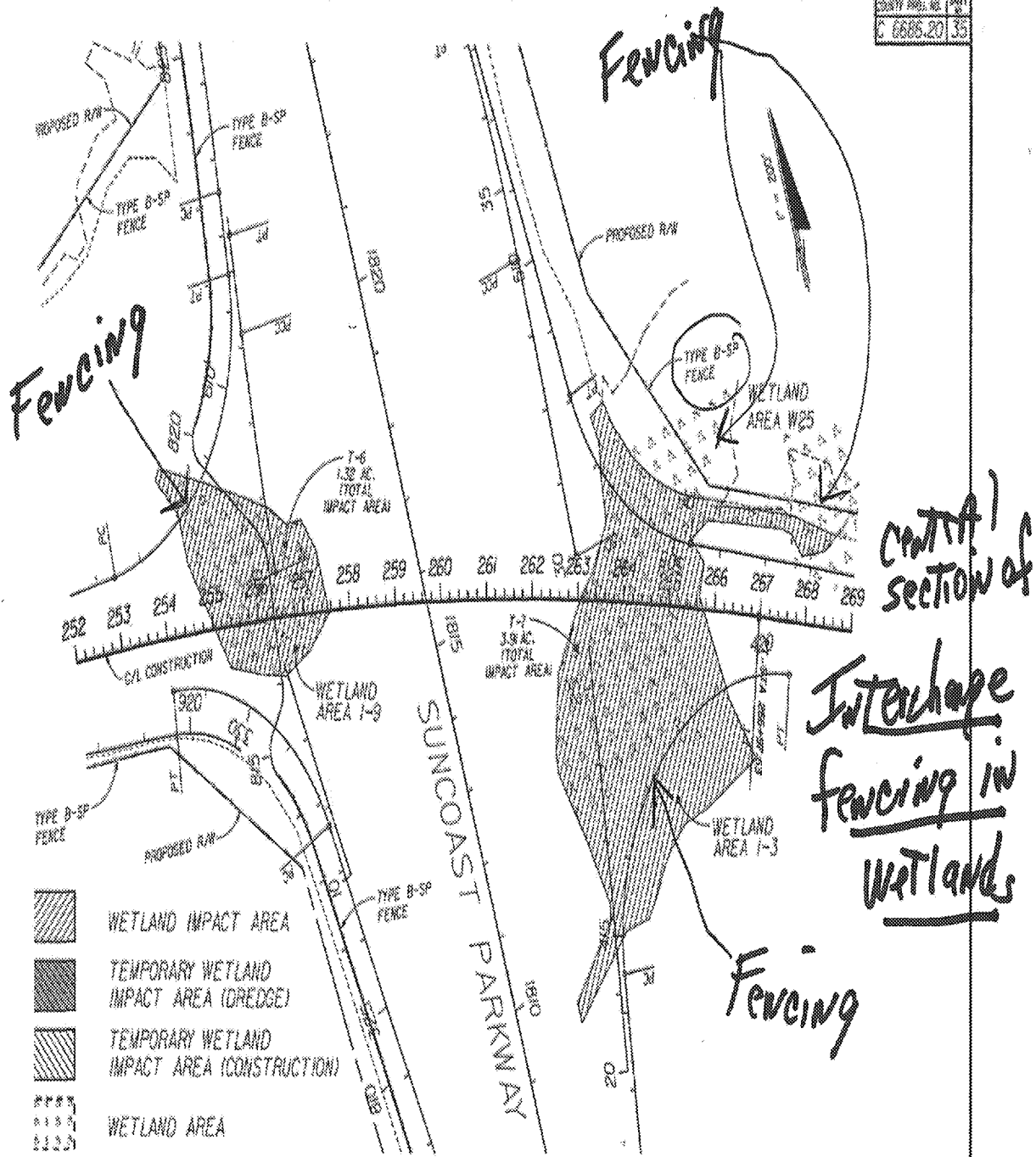
PASCO COUNTY

RIDGE ROAD EXTENSION
TURNPIKE

RUC 944 SHEET 10

0000000000

S&P



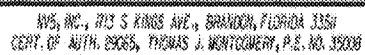
2017 APR 02	2017 APR 02
C 6585.20	C 6585.20



DATE PAID TO	97
C 6686.20	37



QUANTITY	UNIT	PRICE	TOTAL
1	EA	6606.20	6606.20



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PASO 0277

RIDGE ROAD EXTENSION  
 TURNPIKE INTERCHANGE

USACE PLAN SHEET (17)



**SINCE**

\_\_\_\_\_

**COMMENT INSERT—IF WE ARE CORRECT THAT THOSE ADDITIONAL 3.5 ACRES OF WETLAND IMPACTS CAUSED BY THAT FENCING ARE DIRECT IMPACTS, THEN THOSE MUST BE ADDED TO THE CURRENT 37.38 ACRES OF DIRECT WETLAND IMPACTS TO NOW EQUAL 40.88 ACRES IN AUGUST OF 2019.**

**THE ORIGINAL 37.38 ACRES OF IMPACT ARE VERIFIED BELOW FROM BOTH THE USACE 09/2018 PUBLIC NOTICE AND FROM PASCO'S OFFICIAL RRE WEBSITE.**

<https://www.saj.usace.army.mil/Missions/Regulatory/Public-Notices/Article/1644574/saj-2011-00551-sp-tsh/>

## **SAJ-2011-00551 (SP-TSH)**

Published Sept. 25, 2018

Expiration date: 10/24/2018

A summary of the direct impact acreage is as follows:

| 2018 Summary Direct Wetland Impacts |             |              |           |
|-------------------------------------|-------------|--------------|-----------|
|                                     | 2011 Direct | 2018 Direct  | Reduction |
| Phase I                             | 20.74       | 7.33         | 13.41     |
| Phase II                            | 24.07       | 18.33        | 5.74      |
| Interchange                         | 11.82       | 11.72        | 0.10*     |
| Totals                              | 56.63       | <b>37.38</b> | 19.25     |

\*Reduction in wetland impacts within the interchange segment result from a minor revision to jurisdictional limits based on the 2017 PJD compared to the limits used for the 2011 public notice.

**AND FROM PASCO'S OFFICIAL RRE WEBSITE:**

<https://www.pascocountyfl.net/DocumentCenter/View/48705/RRE-Fact-Sheet-20180820>

### **CURRENT IMPACTS**

PROJECT FACT SHEET Revision Date 8/20/2018

PAGE 4 OF 5

The following table shows the impact reduction when compared to the design at the time of the 2011 public notice:

| RRE Mod 7 (Design)    |                  | Impacts 2011<br>Public Notice (ac.) | Impacts Mod<br>7 (ac.) | Reduction<br>(ac.) | Reduction (%) |
|-----------------------|------------------|-------------------------------------|------------------------|--------------------|---------------|
| Phase 1               | Outside Serenova | 7.32                                | 5.05                   | 2.27               | 31.0%         |
|                       | Within Serenova  | 13.42                               | 2.28                   | 11.14              | 83.0%         |
|                       | Phase 1 Total    | 20.74                               | 7.33                   | 13.41              | 64.7%         |
| Phase 2 Total         |                  | 24.07                               | 18.33                  | 5.74               | 23.8%         |
| County Segment Totals |                  | 44.81                               | 25.66                  | 19.15              | 42.7%         |
| Interchange           |                  | 11.82                               | 11.72                  | 0.10               | 0.8%          |
| Project Totals        |                  | 56.63                               | 37.38                  | 19.25              | 34.0%         |

**COMMENT INSERT--EVEN AT THE FORMER 37.38 ACRES OF IMPACT, THE RRE MOD 7A HAD THE MOST, AND NOT THE LEAST, DIRECT WETLAND IMPACTS OF ANY OF THE 17 ALTERNATIVES LISTED ON BOTH THE REVISED 2015 ALTERNATIVES ANALYSIS AND THE RECENT JULY 2019 UPDATED ALTERNATIVES ANALYSIS CONTAINING THE NOW PREFERRED MOD 7A. BOTH ARE SHOWN BELOW. THAT PREFERRED ALTERNATIVE MOD 7A SIMPLY IS NOT THE LEDPA, NOT BY A LONG SHOT.**

**AND TAKING INTO CONSIDERATION THAT ALTERNATIVE # 10, 4-LANE TOWER ROAD, WHICH IS ON THE PASCO 2040 LRTP, HAS BEEN DEEMED "PRACTICABLE" BY THE ACOE (DONNIE KINARD & TORI WHITE) IN 2013, HAS A COST OF LESS THAN \$70 MILLION, IS AFFORDABLE TO PASCO COUNTY, AND WILL ACHIEVE THE PROJECT PURPOSE TO GO EAST TO US 41 AND NOT STOP HALF OF THE WAY THERE AT THE INTERCHANGE, LIKE THE MOD 7A WILL DO. CONSIDERING ALL OF THOSE FACTORS, THAT "LONG SHOT" OF THE MOD 7A BEING A LEDPA JUST GOT LONGER.**

**BELOW, THE FIRST ALTERNATIVES ANALYSIS CHART WAS FROM THE REVISED 10/2015 CHART. THE SECOND CHART FOLLOWING THAT WAS SUPPOSED TO BE A NEW REVISED ONE. IT WAS DATED 07/2019 BUT WAS JUST A REPEAT OF THE 10/2015 CHART WITH MOD 7A ADDED ONTO IT.**

Expanded Summary Data<sup>2</sup> - Alternatives Analysis

92.55 ± 12.54%

- THAT 28.5 number <sup>is</sup> now is 37.38 acres.

that 22.2 number for Time  
is now around 12 acres.

(U:\Deliver Documents\3405\00000000\3405\00000000\Project Messages\1-00 Projects\Notes Re EIS\1.3.0 00000000\Alternatives Asses\Tab 4-1 Expanded EIS Alternatives Evaluation Master Matrix Updated 10-

LEDPA, For Indirect impacts ADD The 203 Acres in  
The 6/2019 Revised Cumulative Impact Statement to 245.3 = 452.3

**COMMENT INSERT--WHY CARDNO LISTED DIRECT IMPACTS FOR THE MOD 7A BELOW AS THE OLDER 28.5 ACRES IS ANYBODY'S GUESS. THEY JUST REPRODUCED THE OLDER REVISED 10/2015 ALTERNATIVES ANALYSIS CHART AND ADDED THE MOD 7A ONTO IT BELOW THE MOD 7 ENTRY.**

**Addendum  
to  
Alternative Analysis  
for  
Ridge Road Extension**

**PREPARED FOR:**

**Pasco County Engineering Services Department**

**PREPARED BY:**

**NV5, INC.**

**1713 South Kings Avenue**

**BRANDON, FLORIDA 33511**

**July 2019**

REVISED Table 4-1. Patco County Ridge Road Extension (Updated 10-16-15)  
Expanded Summary Data<sup>1</sup> - Alternatives Analysis

| Alternative No. | Description           | Impervious Mobility | Driveway Time | Gravel                             |                      |                           |                      |                 |     | Logistics                                         |                                                       | Cultural Resources         |          |                                 |          | Visual Impacts         |                          |   |   | Stream Habitat Projects to Natural Upstream (Acres) | Impacts to Wildlife Species <sup>2</sup> |     |      |         |  |  |  |  |  |  |  |  |  |
|-----------------|-----------------------|---------------------|---------------|------------------------------------|----------------------|---------------------------|----------------------|-----------------|-----|---------------------------------------------------|-------------------------------------------------------|----------------------------|----------|---------------------------------|----------|------------------------|--------------------------|---|---|-----------------------------------------------------|------------------------------------------|-----|------|---------|--|--|--|--|--|--|--|--|--|
|                 |                       |                     |               | Costs to Patco County <sup>3</sup> |                      |                           |                      |                 |     | Policy Consistency Approved <sup>5</sup> (Yes/No) | Impact to Businesses & Services <sup>6</sup> (Yes/No) | Historic Properties (Rank) |          | Archaeological Potential (Rank) |          | Direct Impacts (Acres) | Indirect Impacts (Acres) |   |   |                                                     | No                                       | Low | High | Unknown |  |  |  |  |  |  |  |  |  |
|                 |                       |                     |               | Construction Costs (Culverts)      | ROW Costs (Culverts) | Mitigation Costs (Gravel) | Total Costs (Gravel) | Total Costs     |     |                                                   |                                                       | Direct                     | Indirect | Rank                            | Indirect |                        |                          |   |   |                                                     |                                          |     |      |         |  |  |  |  |  |  |  |  |  |
|                 |                       |                     |               |                                    |                      |                           |                      |                 |     |                                                   |                                                       |                            |          |                                 |          |                        |                          |   |   |                                                     |                                          |     |      |         |  |  |  |  |  |  |  |  |  |
| 1               | No Action             | 1.110               | 15.80         | 0.0                                | \$0                  | \$0                       | \$0                  | \$0             | No  | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 2               | 4-Lane R/R            | 1.002               | 10.78         | 18.8                               | \$69,419,000         | \$22,405,000              | \$2,700,000          | \$93,524,000    | Yes | 22                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 3               | 4-Lane R/R            | 1.002               | 10.78         | 18.8                               | \$67,308,000         | \$11,000,000              | \$1,000,000          | \$79,308,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 4               | 4-Lane R/R            | 1.002               | 10.78         | 18.8                               | \$67,148,000         | \$1,800,000               | \$1,000,000          | \$70,948,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 5               | 4-Lane R/R            | 1.002               | 10.78         | 18.8                               | \$67,148,000         | \$1,800,000               | \$1,000,000          | \$70,948,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 6               | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$183,251,000        | \$300,000                 | \$2,700,000          | \$186,251,000   | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 7               | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$123,372,000        | \$300,000                 | \$2,700,000          | \$126,372,000   | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 8               | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
|                 | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 9               | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
|                 | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 10              | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
|                 | 4-Lane R/R Extended   | 1.002               | 10.78         | 18.8                               | \$86,541,000         | \$300,000                 | \$2,700,000          | \$90,541,000    | Yes | 0                                                 | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 11              | SR 32 4-Lane + Curves | 1.002               | 10.78         | 18.8                               | \$92,289,000         | \$4,200,000               | \$225,000            | \$96,709,000    | No  | 28                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 12              | SR 34 4-Lane + Curves | 1.005               | 11.01         | 17.1                               | \$209,197,000        | \$7,785,000               | \$285,000            | \$217,267,000   | No  | 25                                                | 1                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 13              | 4-Lane Taper Rd       | 1.000               | 10.78         | 21.8                               | \$59,778,000         | \$7,600,000               | \$2,540,000          | \$69,918,000    | Yes | 21                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 14              | SR 34 4-Lane Extended | 0.994               | 10.72         | 25.6                               | \$1,269,097,000      | \$3,854,000               | \$85,000             | \$1,357,031,000 | Yes | 12                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 15              | 4-Lane Taper Rd       | 1.000               | 10.78         | 26.0                               | \$1,155,045,000      | \$3,816,000               | \$1,425,000          | \$1,160,286,000 | No  | 20                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 16              | SR 32 4-Lane + Curves | 1.040               | 10.78         | 20.4                               | \$119,335,000        | \$5,858,000               | \$1,050,000          | \$126,243,000   | No  | 26                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 17              | 4-Lane Taper Rd       | 1.040               | 10.71         | 22.7                               | \$71,537,000         | \$2,830,000               | \$1,630,000          | \$76,007,000    | No  | 40                                                | 1                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 18              | 4-Lane R/R            | 1.000               | 10.61         | 19.0                               | \$76,546,000         | \$8,984,000               | \$3,130,000          | \$88,660,000    | Yes | 21                                                | 1                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 19              | 4-Lane R/R            | 1.001               | 10.72         | 26.0                               | \$80,416,000         | \$3,407,000               | \$1,070,000          | \$84,903,000    | No  | 29                                                | 0                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |
| 20              | 4-Lane R/R            | 1.002               | 11.00         | 16.8                               | \$190,983,000        | \$2,855,000               | \$1,770,000          | \$195,508,000   | No  | 14                                                | 1                                                     | 0                          | 0        | 0                               | 0        | 0                      | 0                        | 0 | 0 | 0                                                   | 0                                        | 0   | 0    | 0       |  |  |  |  |  |  |  |  |  |

1. Additional and more detailed information is presented in Sections 3 and 4 of the Alternatives Analysis and in the Attachments to this document.
2. Weighted values for impacts are provided in the table.
3. See Tables 4-1A, 4-1B, 4-1C, and 4-1D for breakdown of costs from August 2015 estimate.
4. Considered with ITRP, FDOT approved, and other.
5. National Wildlife Refuge Service, US Forest Service, and other agencies.
6. See Current Alternatives Analysis, Table 4-2 in Attachment 1 for selected wildlife species evaluated.
7. Evaluated as potentially elevated only under best of scenarios.

Updated 10-16-15

# **NOW FOR THE EVIDENCE OF THE ADDITIONAL 207 MOL ACRES OF CUMULATIVE (INDIRECT) IMPACTS FOR PHASE 2 JUST REVEALED IN PASCO'S 06/2019 REVISED CUMULATIVE IMPACTS REPORT.**

**COMMENT INSERT**—BELOW IS EVIDENCE FROM PASCO'S RECENT REVISED/UPDATED 06/2019 CUMULATIVE IMPACTS ANALYSIS EXPLAINING THOSE ADDITIONAL 207 ACRES OF INDIRECT IMPACT. THE VERY FIRST ENTRY IS A QUOTE FROM CFR 40 SECTION 1508.7 DEFINING 'CUMULATIVE IMPACT.' IT STATES THAT APPLICANTS MUST ASSESS AND MITIGATE FOR ALL "...reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions" WHAT PART OF THAT STATEMENT DOES PASCO NOT UNDERSTAND? THESE "CUMULATIVE IMPACTS" MUST BE ASSESSED AND MITIGATED FOR BY THE ACTUAL APPLICANT, PASCO COUNTY AND THE FTE, AS PART OF THE REVIEW AND APPROVAL OF THIS 8.4-MILE APPLICATION. FROM PASCO'S SUBMITTAL:

## **Ridge Road Extension –Cumulative Impacts Analysis**

Text Prepared by Cardno, Inc., June, 2019

Sec. 1508.7 Cumulative impact.

"Cumulative impact" is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

## **1 Introduction**

This document provides a cumulative impacts analyses for the proposed Ridge Road Extension.

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The area of potential future commercial and residential development considered includes approximately 3,371 acres of wetlands (excluding the Bexley property, for which approximately 7% of on-site wetlands have been approved for impact) (Figure 2.2). Of the remaining 3,371 acres of wetlands in the focus area, an estimate was made from the GIS coverage of wetlands (with sizes) and the impact proportions by size as listed in Table 2.1. The maximum potential of additional impact, based on past permitting practices, is estimated to be approximately 207 acres or 6.15% of the wetlands on the property. Based on Table 2.1, wetlands smaller than 1 acre are more likely to be impacted than larger wetlands, and the proportion of the wetland acreage that may be impacted in these smaller wetlands is likely to be higher. Potential commercial areas are estimated to have a maximum of 21.5 acres of impact (16.3% of the total wetland acreage in areas that can reasonably be anticipated to develop into

commercial land uses) and residential areas are likely to have a maximum of 191 acres (5.8% of the total wetland acreage in areas that can reasonably be anticipated to develop into residential land uses).

**COMMENT INSERT—ADDING THE ABOVE NEW 207-ACRES MOL TO THE CURRENT 245.3-ACRES OF INDIRECT IMPACT LISTED FOR THE MOD 7A ON THE ABOVE 06/2019 REVISED ALTERNATIVES ANALYSIS CHART GIVES A TOTAL NOW IN 08/2019 OF 452.3 ACRES OF INDIRECT IMPACTS. THE ORIGINAL 10/2015 CUMULATIVE/INDIRECT IMPACTS NUMBER OF 243.5 ACRES WAS ALREADY AMONG THE HIGHEST OF FOUR ALTERNATIVES CONTAINING THE RRE (INCLUDING # 15=381.2, # 16=325.2 AND # 17=320.1). ALL FOUR ALTERNATIVES WITH THE HIGHEST INDIRECT IMPACTS CONTAINED THE PROPOSED RRE. NOW THEOSE SAME ALTERNATIVES WILL HAVE THE GREATEST NUMBER OF ACRES OF INDIRECT IMPACTS, FAR EXCEEDING THOSE OF THE 13 REMAINING ALTERNATIVES. HOW CAN THE RRE MOD 7A, WITH SO MANY BOTH DIRECT AND INDIRECT IMPACTS, STILL BE ANY KIND OF LEDPA?**

**COMMENT INSERT—BELOW IS A COMPUTATION OF THE CURRENT TOTAL DIRECT AND INDIRECT WETLAND IMPACTS FOR ALL OF THE 17 ALTERNATIVES.**

**THE FOLLOWING TWO LISTS ARE A COMPARISON OF ALL DIRECT AND INDIRECT WETLAND IMPACTS LISTED ON THE ABOVE 06/2019 ALTERNATIVES ANALYSIS CHART.**

**DIRECT IMPACTS BY ALTERNATIVE #:**

**1—NONE—DO NOTHING**

**2-- 27.5 ACRES**

**3-- 33.0**

**4 -- 33.1**

**5-- 33.7**

**6-- 27.7**

**7-- 27.7**

**MOD 7A -- 37.38 PLUS 3.5 = 40.88 --- 37.38 WAS THE HIGHEST EVEN BEFORE 7A WAS ADDED IN 09/2019.**

**8-- 2.8**

**9-- 1.7**

**10-- 22.2 WITH LESS NOW SINCE ½ IS ALREADY BUILT BY MPUDS AND IN USE.**



11-- 0.4

12 --13.4

13--1.5

14--14.5

15--32.5

16--20.6

17--19.5

**INDIRECT IMPACTS:**

THE MOD 7A HAD 245.3 ACRES ALREADY IN 2015. NOW IN 08/2019 WITH THE 207 ACRES MOL MORE PASCO ADDED FOR PHASE 2 IN THEIR 06/2019 CUMULATIVE IMPACTS REPORT TO THE ACOE, THE MOD 7A RANKS AS HAVING AMONG THE HIGHEST NUMBER OF INDIRECT IMPACTS OF ANY ALTERNATIVE WITH 452.3 ACRES.

**SECTION FOR THE ACOE AND FEDERAL JUDICIARY CALLING  
ATTENTION TO FEDERAL LAWS THAT REQUIRE THAT ONLY THE  
PRACTICABLE ALTERNATIVE WITH THE ACTUAL “LEAST”  
ENVIRONMENTAL IMPACTS CAN RECEIVE A CWA 404 PERMIT.**

**COMMENT INSERT—THE EXCERPTS BELOW PROVE THAT PASCO WAS TOLD EXPLICITLY BY DONALD KINARD, THEN CHIEF OF THE JACKSONVILLE REGULATORY DIVISION, IN AN ATTACHMENT TO A 2013 LETTER ALREADY IN THE ADMINISTRATIVE RECORD, THAT:**

“...USACE may only permit discharges that represent the least environmentally damaging practicable alternative (LEDPA...)”

**AND AT SECTION 4.VI Existing site access.**

“Will the site require new access roads/infrastructure? What are the potential impacts associated with these improvements?”

**AND IN ITEM 5C:**

***“...the LEDPA must be the one that is actually the *least environmentally damaging....”****

**A MORE COMPLETE DISCUSSION OF THE KEY POINTS EXCERPTED FROM MR. KINARD'S ATTACHMENT ARE BELOW.**

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
10117 PRINCESS PALM AVENUE, SUITE 120  
TAMPA, FLORIDA 33610

REPLY TO ATTENTION OF  
Tampa Permits Section  
SAJ-2011 -00551 (IP-TEH)

**August 8, 2013**

Ms. Georgianne Ratliff  
Ratliff Consulting Group, LLC  
11300 Sun Creek Place  
Tampa Florida 33617

Mr. John Post, Jr.  
Florida Department of Transportation  
Florida's Turnpike Enterprise  
Post Office Box 613069  
Orlando, Florida 32816

Dear Ms. Ratliff and Mr. Post:

PAGE 4

1— Alternatives under 404(b)(1) (restrictions on discharges CFR230.10):  
**USACE may only permit discharges that represent the least environmentally damaging practicable alternative (LEDPA) so long as the alternative does not have other significant adverse environmental consequences. The 404(b)(1) Guidelines require a detailed discussion of "practicable" alternatives to the proposed project.**

**For projects with a large number alternatives using an "alternatives screening process" which separates alternatives into categories or levels based on the parameters for which they were evaluated may prove helpful. If any alternatives were eliminated from detailed study because they could not reasonably satisfy the project purpose, provide a brief discussion of reasons for eliminating them.**

#### 4. Analyze the Identified Alternatives

What are issues I should address in the alternatives analysis?

*a. Include the following minimum information for each alternate site examined.*

vi. Existing site access. Will the site require new access roads/infrastructure? What are the potential impacts associated with these improvements?

**COMMENT INSERT—THE ABOVE DESCRIBES PROJECT ARTHUR ON THE MOD 7A'S PHASE 2. THOSE ADDITIONAL CUMULATIVE IMPACTS HAVE RECENTLY BEEN ASSESSED BY PASCO (ABOVE) TO BE 207 ACRES MOL.**

*b Identify the Environmental Impacts.*

iv Be fair and accurate in the representation of impacts. Neither NEPA nor the 404(b)(1) Guidelines require the alternative chosen be the alternative with the least impacts. NEPA requires a "hard look" and a "fair disclosure" of impacts; the 404(b)(1) Guidelines require that the Least Environmentally Damaging Practicable Alternative be chosen. Do not attempt to minimize a favored alternative's effects or maximize the effects for an un-preferred alternative.

*d. Address practicability of each alternative.*

i. Alternatives that are practicable are those that are available and capable of being done by the applicant after considering the following (in light of the project purpose):

**COMMENT INSERT—IN ITEM “d” ABOVE THE ACOE REFERS TO “COST” AS A FACTOR. IT MUST BE REMEMBERED THAT THE REGULATORY GUIDANCE DOCUMENT BELOW SPECIFICALLY STATES THAT:**

**"[i]f an alleged alternative is unreasonably expensive to the applicant, the alternative is not, 'practicable.'"**

<http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl93-02.pdf>

Regulatory Guidance Letter 93-02 SUBJECT: Guidance on Flexibility of the 404(b)(1) Guidelines and Mitigation Banking

The preamble to the Guidelines also states that "[i]f an alleged alternative is unreasonably expensive to the applicant, the alternative is not, 'practicable.'" Guidelines Preamble, "Economic Factors", 45 Federal Register 85343 (December 24, 1980).

**AND**

**COMMENT INSERT—THE APPLICANT ADMITS THAT PHASE 2 IS NOT “...capable of being done by the applicant...” PASCO CANNOT AFFORD TO BUILD PHASE 2, AND ERRONEOUSLY ACCEPTS NO RESPONSIBILITY FOR ANY DIRECT OR INDIRECT WETLAND AND LISTED SPECIES IMPACTS ON THAT PHASE. THEY ALSO SUGGEST POSTPONING THOSE REQUIREMENTS TO SOME FUTURE UNSPECIFIED POINT IN TIME AND TO SOME OTHER UNKNOWN IDENTITY.**

- Cost (Transportation cost or transportation needs, utilization of existing infrastructure such as existing power or water supplies or the requirement to construct infrastructure)

**5. Compare alternatives to identify which is the least Environmentally Damaging Practicable Alternative.**

b. Be specific in the comparisons that lead to the choice of the LEDPA. Explain why the alternative was chosen based on quantitative review. This is intended to be a fair comparison of alternatives that meet the project purpose.

c. Remember, the LEDPA is the *Least Environmentally Damaging Practicable Alternative*. Do not attempt to sell the project in this analysis. Of the alternatives that meet the project purpose, **the LEDPA must be the one that is actually the *least environmentally damaging***. It may result in less impacts. but it will also result In a quicker decision and much less time spent in permitting if the analysis provided is accurate.

**COMMENT INSERT—THE ABOVE ITEM WAS SCANNED TO GIVE DIRECT EVIDENCE BELOW THAT MR. KNIARD INSISTED, VIA THAT ATTACHMENT, THAT THE LEDPA MUST HAVE THE LEAST IMPACTS. THE MOD 7A, NOW IN 08/2019, HAS THE MOST.**

b. Be specific in the comparisons that lead to the choice of the LEDPA. Explain why the alternative was chosen based on quantitative review. This is intended to be a fair comparison of alternatives that meet the project purpose.

c. Remember, the LEDPA is the *Least Environmentally Damaging Practicable Alternative*. Do not attempt to sell the project in this analysis. Of the alternatives that meet the project purpose, **the LEDPA must be the one that is actually the *least environmentally damaging***. It may result in less impacts. but it will also result In a quicker decision and much less time spent in permitting if the analysis provided is accurate.

d. An effective Alternatives Analysis can be undone in the end through a biased analysis. Stating the facts and explaining clearly why a particular alternative was

MUST  
ACTUALLY  
be The  
Least -  
MOD 7A HAS  
The MOST

**SINCE PHASE 2 CANNOT BE CONSTRUCTED BY PASCO COUNTY DUE TO LACK OF FUNDS, AND WAS MOVED TO THE 2026 – 2030 WINDOW ON PASCO’S 2040 LRTP (SEE CHART BELOW), AND PASCO HAS SINCE STATED THEY WILL HAVE NO RESPONSIBILITY FOR CONSTRUCTION OR MITIGATION FOR PHASE 2 AND LEAVE THAT FOR “OTHERS,” THE PROJECT PURPOSE TO GO EAST TO US 41 CANNOT BE ACHIEVED. THIS APPLICATION MUST BE DENIED.**

**MOBILITY 2040 Long Range Transportation Plan** Pasco County Metropolitan Planning Organization  
8731 Citizens Drive New Port Richey, FL 34654 Phone (727) 847-8140 Fax (727) 847-8084 1000 N. Ashley  
Dr., Suite 400 Tampa, FL 33602 Phone (813) 224-8862 Fax (813) 226-2106 March 2015

Modified May 2015

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Table B-2 (cont.)

County Roadway Improvements (VOE)

| City | County Project                                   | Improvement | Design Source | Design Timing | Design Cost | ROW Source | ROW Timing | ROW Cost     | CST Source | CST Timing | Construction Cost | Total Cost    |
|------|--------------------------------------------------|-------------|---------------|---------------|-------------|------------|------------|--------------|------------|------------|-------------------|---------------|
| 2    | Pemberton Rd from Salamander Dr to Mitchell Blvd | 00 to 2L    | CoGen         | 2031-2040     | \$245,195   | CoGen      | 2031-2040  | \$1,225,576  | CoGen      | 2031-2040  | \$2,819,744       | \$4,290,916   |
| 5    | Ridge Rd Ext from Suncoast Pkwy to US 41         | 00 to 4D    | CoGen         | 2020-2025     | \$3,643,739 | CoGen      | 2026-2030  | \$21,417,388 | CoGen      | 2026-2030  | \$48,259,994      | \$74,321,121  |
| 3    | Shady Hills Rd from SR 52 to Hernando Co         | 2U to 4D    | CoGen         | 2031-2040     | \$6,470,570 | CoGen      | 2031-2040  | \$32,353,328 | CoGen      | 2031-2040  | \$74,412,648      | \$113,236,646 |

**COMMENT INSERT**—IT SHOULD ALSO BE NOTED ON THE ABOVE CHART THAT THE COST OF PHASE 2 ALONE, ADJUSTED FOR INFLATION IN THE 2026 – 2030 WINDOW, WAS LISTED AS \$74.3 MILLION. PASCO IS IN THE ADMINISTRATIVE RECORD STATING THAT PHASE 1 WILL COST THEM NEARLY \$90 MILLION, AND THE FTE INTERCHANGE WILL COST \$15.5 MILLION. ADDED TO THE ABOVE LISTED COST FOR PHASE 2 OF \$74.3 MILLION, THE GRAND TOTAL WILL BE \$179.8 MILLION MOL. NO WONDER PHASE 2 IS UNAFFORDABLE (AND THEREFORE NOT DOABLE) FOR PASCO COUNTY WHOSE SHARE WILL BE AT LEAST \$164.3 MILLION.

**COMMENT INSERT**—BELOW IS AN ACOE REGULATORY MATRIX SHOWING AN EXAMPLE OF TWO ALTERNATIVES AND HOW ONE IS DETERMINED TO BE THE LEDPA WHEN COMPARED TO THE OTHER. IT IS OBVIOUS THAT AN ALTERNATIVE WITH VERY MANY MORE DIRECT, INDIRECT AND CUMULATIVE IMPACTS HAS NO CHANCE TO BE THE LEDPA, AT LEAST NOT ACCORDING TO THESE ACOE GUIDELINES.

[https://www.saj.usace.army.mil/Portals/44/docs/regulatory/News/4\\_Alternatives%20Analysis.pdf](https://www.saj.usace.army.mil/Portals/44/docs/regulatory/News/4_Alternatives%20Analysis.pdf)

#### ALTERNATIVES ANALYSIS

PG 36

#### LEDPA

| Environmental Factors                                        | Alternative 1: Applicant’s Preferred Alternative | Alternative 2 |
|--------------------------------------------------------------|--------------------------------------------------|---------------|
| Wetland Impacts (acres)                                      | 2.0                                              | 6.0           |
| Loss in Wetland Function (UMAM Functional Units)             | 1.4                                              | 3.9           |
| Impacts to Federally Listed Threatened or Endangered Species | No                                               | No            |
| Impacts to Migratory Birds                                   | No                                               | Yes           |
| LEDPA                                                        | Yes                                              | No            |

**COMMENT INSERT**—THE BELOW ACOE DOCUMENT ON HOW TO DETERMINE THE LEDPA STRESSES THAT NO MATTER HOW GOOD THE MITIGATION, IT CANNOT BE USED TO “PLAY DOWN” ACTUAL IMPACTS. THE LEDPA MUST BE THE ALTERNATIVE WITH THE ACTUAL “LEAST” IMPACTS, AND NOT THE ONE WITH THE “BEST” MITIGATION AND A CAVEAT THAT THERE WILL BE A “NET GAIN” IN UMAM FUNCTIONAL UNITS. IT DOES NOT WORK THAT WAY AND IS NOT ALLOWED.

Preparing An Alternatives Analysis Under Section 404 of the Clean Water Act Fort Worth District –  
Regulatory Division November 2014

PAGE 10

#### **Step 4: Identify the Least Environmentally Damaging Alternative**

All alternatives making it to this step are practicable. Therefore, a comparison and determination of which is the least damaging is required. **The Guidelines require that only the LEDPA can be authorized. It is also important to recognize that determining the least environmental damaging alternative cannot include any aspect of compensatory mitigation.** <sup>10</sup>

For each remaining site, the narrative should include the following information:

- a. describe the direct, indirect, and cumulative impacts (beneficial or adverse) to the aquatic ecosystem (WOUS) associated with each of the remaining alternatives;
  - b. identify, specify and quantify the impacts to the aquatic ecosystem. Rather than stating that "Alternative A would result in a large impact to low quality wetlands and ditches that are sparsely vegetated and impact some wildlife" use "Alternative A would result in the discharge of fill material into 2.1 acres of modified riverine wet meadow wetland and realignment and filling of 1.2 acres of channelized intermittent stream that contains scattered emergent wetland vegetation."
  - c. describe the significant adverse environmental impacts associated with each of the remaining alternatives on other natural ecosystem features and how the determination of significant was made.
2. If multiple practicable alternatives remain, and/or many natural environmental factors are involved that would be significantly impacted, another matrix that contains only environmental parameters (e.g., wetland functional units; Federal and/or state listed species; high functioning/value upland habitat, floodplains, and plant communities; air quality) can be used to assist in illustrating the proposed LEDPA. **Emphasis should be placed on impacts to the aquatic environment through acreage and functional unit loss of wetlands or other WOTUS that would be affected or eliminated by each alternative.** An example matrix is below.

40 CFR 230.5 and February 6, 1990 Memorandum of Agreement Between the Environmental Protection Agency and the Department of the Army Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines

40 CFR 1502.14 and CEQ's 40 Most Asked Questions 5b

#### **Step 5: Determination of LEDPA**

Conclude the alternatives analysis with a description of the alternative proposed to be the LEDPA, reiterating the rationale for this determination. It is noted that if the remaining alternatives have similar impacts to the aquatic ecosystem as the applicant's preferred, USACE can conclude the applicant's



proposal is the LEDPA. 12 It is reiterated that no aspect of compensatory mitigation can be utilized in making this determination. In other words, an applicant cannot use compensatory mitigation to “buy down” an alternative in order to meet the LEDPA.

12 August 23, 1993 EPA/USACE Memorandum to the Field concerning the Appropriate Level of Analysis Required for Evaluating Compliance with the Section 404(b)(1) Guideline Alternatives Requirements

Version 1.0, prepared by Fort Worth District Regulatory Division, November 2014

**COMMENT INSERT—AND FROM MR. KINARD’S 2013 LETTER PREVIOUSLY CITED, THE ATTACHMENT HE INCLUDED STATED THAT:**

**b. Identify the Environmental Impacts.**

“Do not attempt to minimize a favored alternative’s effects or maximize the effects for an un-preferred alternative.”

**COMMENT INSERT—MR. KINARD MAY HAVE BEEN REFERRING TO PASCO’S ILL-FATED ATTEMPT TO RENDER THE TOWER ROAD ALTERNATIVE IMPRACTICABLE AND NOT THE LEDPA BY STRESSING THAT 20 RESIDENTIAL IMPACTS, INCLUDING 12 RELOCATIONS, WERE TOO MANY AND UNACCEPTABLE. OUR PAST COMMENT # 11 IN THE ADMINISTRATIVE RECORD GIVES A MORE COMPLETE DISCUSSION OF TWO EXAMPLES OUTLINED BELOW REGARDING PASCO’S HISTORY OF ROADWAY CONSTRUCTION. IT INCLUDES COMPLETING TWO PAST PROJECTS HAVING MANY MORE RESIDENTIAL AND BUSINESS IMPACTS THAN THE TOWER ROAD ALTERNATIVE WILL HAVE (SEE APPENDIX # 1 FOR MORE COMPLETE INFORMATION), SUCH AS:**

- A) MAY 2015: THE 6.8-MILE LONG CHANCEY PARKWAY THAT REQUIRED IMPACTING 52 PARCELS, 24 RELOCATIONS AND THE REMOVAL OF PASCO FIRE STATION # 16 AND ITS THREE 3,000-GALLON UNDERGROUND STORAGE TANKS, AND**
- B) MARCH 2010: THE PASCO FUNDED \$105.2 MILLION 3.4-MILE WIDENING OF STATE ROAD 54 EAST OF I-75 FROM 2 TO 6 LANES REQUIRING THE PURCHASE OF 110 PARCELS INCLUDING NUMEROUS BUSINESSES AND TWO GAS STATIONS INVOLVING THE MOVEMENT OF UNDERGROUND TANKS. THE COST OF THE LAND ALONE WAS \$74.2 MILLION.**

**THE IMPACTING OF 52 PARCELS FOR EXAMPLE #1 ABOVE IN 2015(AND A COUNTY FIRE STATION), AND 110 PARCELS FOR EXAMPLE # 2 ABOVE IN 2010, MAKES THE IMPACTING OF**

20 RESIDENTIAL PARCELS (INCLUDING RELOCATION OF 12 AND MINOR IMPACTS TO 12) FOR TOWER ROAD SEEM INSIGNIFICANT. THE ATTACHMENT CITED ABOVE SENT BY REGULATORY CHIEF KINARD APPLIES HERE WHEN IT STATED NOT TO "ATTEMPT TO MINIMIZE" AN ALTERNATIVE'S PRACTICABILITY USING A MINOR NUMBER OF TOTAL RESIDENTIAL IMPACTS, AS PASCO ATTEMPTED TO DO FOR THE TOWER ROAD ALTERNATIVE.

AND ADDED TO THAT IS THE ADDITIONAL INFORMATION BELOW REGARDING THE TOWER ROAD ALTERNATIVE # 10 AS A LEDPA. MOST OF THIS INFORMATION IS ALREADY IN THE ADMINISTRATIVE RECORD:

- 1—CHRIS LORY OF THE FTE STATED THAT AN INTERCHABGE WAS POSSIBLE AT THE SUNCOAST PARKWAY AND TOWER ROAD IF PASCO PUTS THAT ON THEIR LRTP, AND MAPS SHOW IT WILL IMPACT FEWER WETLANDS THAN THE OVER 11 ACRES THE MOD7A WILL IMPACT AT THEIR INTERCHANGE, AND
- 2—PASCO HAS REQUIRED THE BEXLEY RANCH SOUTH DEVELOPERS, AS A CONDITION OF THEIR MPUD, TO SET ASIDE LANDS FOR THAT INTERCHANGE EAST OF THE PARKWAY. WHY WOULD PASCO THEN SAY NO INTERCHANGE IS POSSIBLE OR DOABLE AFTER REQUIRING THE BEXLEY RANCH MPUD TO SET ASIDE LAND FOR IT? AND
- 3—OVER HALF OF THE 11.8-MILE TOWER ROAD ALTERNATIVE # 10 HAS ALREADY BEEN CONSTRUCTED AND IS NOW IN USE, AND
- 4—THE AS YET UNPAVED PORTIONS OF TOWER ROAD ARE CURRENTLY USABLE AS A FARM DIRT ROAD, WITH MOST OF THE WETLANDS IMPACTED IN THE PAST FOR ITS CONSTRUCTION OCCURRING BEFORE THE 1972 CWA, AND
- 5—RECENTLY THE SWFWMD HAS GIVEN TENTATIVE ERP APPROVAL TO THE FARTHEST WEST SEGMENT CONNECTING TO STARKEY ROAD ON THE STARKEY RANCH MPUD, AND GIVEN THAT SAME APPROVAL TO THE 1-MILE SEGMENT EAST OF THE INTERSECTION WITH BALLANTRAE BLVD. ON THE BEXLEY RANCH SOUTH MPUD TO END AT THE ALREADY CONSTRUCTED INTERSECTION OF TOWER ROAD WITH SUNLAKE BOULEVARD. AS A RESULT THERE IS LESS THAN 1/3<sup>RD</sup> OF ITS CONSTRUCTION REMAINING TO CONNECT IT TO US 41---THE PROJECT PURPOSE, AND AT LESS THAN ½ OF THE COST TO PASCO COUNTY THAN JUST PHASE 1 OF THE RRE. THE TOWER ROAD ALTERNATIVE ALSO NOW HAS ABOUT 10 ACRES OF WETLAND IMPACTS LEFT VS THE MOD 7A WITH AT LEAST 37.38 ACRES AND OVER 40 ACRES IF THE ADDITIONAL 3.5-ACRES OF WETLANDS TO BE IMPACTED BY THE FTE INTERCHANGE FENCING IS DEEMED BY THE ACOE TO BE DIRECT IMPACTS.

6—PASCO HAS STATED THAT THE ROUNDABOUTS ON THE STARKEY RANCH AND BEXLEY SOUTH MPUDS RENDER THE TOWER ROAD ALTERNATIVE NOT “PRACTICABLE.” THE BELOW EVIDENCE SHOWS THERE IS THE POSSIBILITY OF THOSE SAME ROUNDABOUTS OCCURRING ON PHASE 2 OF THE RRE ON THE PROJECT ARTHUR MPUD, SO THAT RENDERS THE PROPOSED RRE MOD 7A ALTERNATIVE JUST AS IMPRACTICABLE USING PASCO’S OWN DEFINITION.

**SECTION PROVIDING EVIDENCE THAT THE ROUNDABOUTS PASCO HAS STATED MAKE ALTERNATIVE # 10 (TOWER ROAD) NOT PRACTICABLE MAY ALSO BE ON PHASE 2 OF THE RRE THROUGH PROJECT ARTHUR, AND EVEN AT A SLOWER SPEED LIMIT.**

<http://pasco.siretechnologies.com/Sirepub/mtgviewer.aspx?meetid=2062&doctype=AGENDA>

**GO TO AGENDA ITEM P-6, CLICK ON IT FOR THE ATTACHMENTS. CLICK ON ATTACHMENT # 5 (ZONING AMENDMENT (CONSENT) – Project Arthur MPUD M - ATT 3 - EXHIBITS A, B, and C.pdf).**

**GO TO PAGE 141**

## **SECTION C - TECHNICAL REQUIREMENTS**

### ***C.1 - STREET DESIGN AND DEDICATION REQUIREMENTS***

**THEN PAGE 145 OF 363**

**DOCUMENT’S PAGE 32**

***SECTION C - TRANSPORTATION***  
**MASTER ROADWAY PLAN**

k) **Roundabouts.** Roundabouts shall be designed per the FDOT Design Standards, latest edition. **The posted speed for roundabouts shall be 20 mph.** The following FDOT Exhibits (213-4 and 213-5) are for illustration purposes only. **Roundabouts may be allowed on all roadway types within the project.**

**COMMENT INSERT—THE PASCO BOCC APPROVED OF THIS MPUD WITH THE POSSIBILITY THAT PROJECT ARTHUR CAN UNILATERALLY DECIDE TO PUT ROUNDABOUTS ON A FUTURE RRE. HOW CAN PASCO STATE THAT ALTERNATIVE # 10 (TOWER ROAD) IS NOT PRACTICABLE**

DUE TO ROUNDABOUTS, AND THEN LATER ALLOW THOSE SAME ROUNDABOUTS ON THE RRE PHASE 2? BUT THERE WILL BE A DIFFERENCE. THE ROUNDABOUTS ON THE CURRENT TOWER ROAD NOW IN USE ON THE OVER 3-MILE LONG STARKEY RANCH MPUD HAVE A SPEED LIMIT OF 25 MPH. THE ROUNDABOUTS PROJECT ARTHUR WANTS TO HAVE THE OPTION OF ADDING, TO ANY AND ALL ROADWAYS IN THAT MPUD INCLUDING THE RRE IN PHASE 2, WILL HAVE A SPEED LIMIT OF 20 MPH. AND PASCO STILL MAINTAINS THAT THE RRE WILL PROVIDE EVACUATION OPPORTUNITIES TO US 41, EVEN WHEN TOWER ROAD CAN MOVE TRAFFIC FASTER THROUGH THEIR ROUNDABOUTS? NONE OF THIS MAKES ANY SENSE. ANY MEMBER OF THE FEDERAL JUDICIARY, REVIEWING THIS AT SOME FUTURE DATE, CANNOT HELP BUT COME TO THE SAME CONCLUSION.

**SECTION PROVIDING EVIDENCE THAT PHASE 2 OF THE RRE MAY WELL NEVER BE ALLOWED AND/OR CONSTRUCTED BY PROJECT ARTHUR, AS PER THE APPROVED CONDITIONS OF THEIR MPUD, THEREBY RENDERING THE PROJECT PURPOSE TO GO EAST TO US 41 UNFULFILLED.**

**COMMENT INSERT**—THE BELOW PROJECT ARTHUR BOCC-APPROVED COMPREHENSIVE PLAN AMENDMENT, SENT TO THE STATE OF FLORIDA FOR REVIEW AND APPROVAL, CONTAINED A SECTION THAT ALLOWED ANY ROADWAY DECISION OF PROJECT ARTHUR TO:

“...supersede any conflicting transportation policies in Pasco County’s adopted Comprehensive Plan and Land Development Code...”

**SO, IF PROJECT ARTHUR DOES NOT WANT THE RRE PHASE 2 GOING THROUGH THEIR PROPERTY, THEN THAT DECISION WILL PREVAIL.**

<https://listingsprod.blob.core.windows.net/ourlistings-usa/d4403f74-7838-4291-a1f7-a39734a9d94f/ca95da7f-5130-4594-9fdb-bbd2973db684>

PASCO COUNTY, FLORIDA COMPREHENSIVE PLAN AMENDMENT PROJECT ARTHUR PD (PLANNED DEVELOPMENT) FUTURE LAND USE DESIGNATION

**PAGE 19 OF 52**

Section 5 Transportation Goals & Objectives for Project Arthur Parcel B

Project Arthur PD Future Land Use Designation

While Project Arthur Parcel B recognizes the importance to facilitate traditional vehicular traffic, the creation of an urban, employment-generating environment which puts people first and seeks to create a sense of place, should not have its main priority focus on the rapid movement of the automobile through the community. This is particularly the case when those traveling greater distances to and from work in Project Arthur Parcel B from outside the community will have the adjacent Suncoast Expressway and S.R. 52 to get to and from work. **The specific transportation policies set forth in Section 9 within Project Arthur Parcel B shall supersede any conflicting transportation policies in Pasco County's adopted Comprehensive Plan and Land Development Code, as amended from time-to-time.**

**COMMENT INSERT—AND BELOW THE PASCO PROJECT MANAGER FOR THE RRE SAM BENECK, AT THE END OF THE SAME DOCUMENT REFERRED TO ABOVE, WROTE A COMMENT (ABRIDGED) REGARDING THE MATTER OF "SUPERCEDEANCE" OF PROJECT ARTHUR'S ROADWAY DECISIONS OVER THOSE OF PASCO COUNTY. IT CAN BE FOUND AT:**

**<https://pascocountyfl.net/DocumentCenter/View/50852/Transmittal-Package-Proposed---CPAL1901--Project-Arthur?bidId=>**

**ON PAGE 81 OF 88. MR. BENECK'S COMMENTS UNABRIDGED:**

**Comments from Sam Beneck Project Mgmt 11/07/2018**

Section 5 Transportation page 19

While Project Arthur Parcel B recognizes the importance to facilitate traditional vehicular traffic, the creation of an urban, employment-generating environment which puts people first and seeks to create a sense of place, should not have its main priority focus on the rapid movement of the automobile through the community. **This is particularly the case when those traveling greater distances to and from work in Project Arthur Parcel B from outside the community will have the adjacent Suncoast Expressway and S.R. 52 to get to and from work. The specific transportation policies set forth in Section 9** which address these non-traditional vehicular travel concepts **within Project Arthur Parcel B shall supersede any conflicting transportation policies in Pasco County's adopted Comprehensive Plan, as amended from time-to-time.**

**Comments:**

1. This language makes the point that the surrounding roadway network can be disregarded provided the network serving Arthur is adequate. Travel through and around Artur must meet standards for the benefit of adjacent land owners.

2. strike "supersede any conflicting" and replace with "may be used to satisfy"

Section 9: Planned Development Entitlements Page 35

In order to support the standardized infrastructure within Project Arthur Parcel B, a separate Traffic Operations Center specific to Project Arthur Parcel B should be considered.

Comment: Has this been discussed previously? Is there to be a any property set aside for Pasco use?

**COMMENT INSERT—THOSE CHANGES SUGGESTED BY SAM NENECK WERE NEVER MADE. AND PROJECT ARTHUR EVEN WANTS "...a separate Traffic Operations Center" WHICH THEY WILL CONTROL TO MAKE ROADWAY DECISIONS WITHIN THAT MPUD.**

**HOW DOES ANY OF THIS EVEN REMOTELY APPROACH THE POSSIBLE FULFILLMENT OF THE ACOE-STATED PROJECT PURPOSE FOR THE RRE TO GO EAST TO US 41?**

**SECTION PROVIDING EVIDENCE THAT THE APPLICANT HAS BEEN GUILTY OF BEING 'SELECTIVE' IN THE DATA THEY HAVE SUBMITTED TO THE ACOE SUCH THAT MUCH OF IT IS SO SKEWED AS TO BE SUSPECT.**

**COMMENT INSERT—THE REGULATORY GUIDANCE BELOW IS PARTICULARLY APPLICABLE FOR THIS APPLICATION.**

[http://www.swf.usace.army.mil/Portals/47/docs/regulatory/Handouts/Preparing\\_An\\_Alternatives\\_%20Analysis.FINAL.pdf](http://www.swf.usace.army.mil/Portals/47/docs/regulatory/Handouts/Preparing_An_Alternatives_%20Analysis.FINAL.pdf)

Preparing An Alternatives Analysis Under Section 404 of the Clean Water Act Fort Worth District – Regulatory Division November 2014

PAGE 6:

It is imperative the applicant describes why any alternative is eliminated from further analysis so USACE can independently review and verify the information and each step in the applicant's alternative analysis. The USACE will verify that the criteria used for screening at all levels are objective and comply with regulations, policy, and implementing guidance and ensure they are not so restrictive that they eliminate practicable, which includes reasonable, alternatives.

**COMMENT INSERT—THE ACOE CANNOT ALLOW PASCO TO ATTEMPT TO BE OVERLY "RESTRICTIVE," AS DESCRIBED ABOVE, AND ELIMINATE ALTERNATIVE # 10, 4-LANE TOWER ROAD, AS WELL AS OTHER ALTERNATIVES, AS IMPRACTICABLE DUE TO A MERE 20 RESIDENTIAL IMPACTS WITH 12 NEEDING RELOCATION. THAT IS ESPECIALLY TRUE WHEN PASCO, AS STATED EARLIER, SPENT \$74.2 MILLION FOR 110 PARCELS TO WIDEN SR 54 FOR 3.2**

MILES IN 2010-2012 AND IMPACTED 52 PARCELS FOR THE CHANCEY PARKWAY IN 2004  
REQUIRING 24 RELOCATIONS.

**SECTION PROVIDING EVIDENCE THAT THE ACOE REQUIRES THAT ALL  
CUMULATIVE AND INDIRECT IMPACTS ARE THE RESPONSIBILITY OF  
THE CURRENT APPLICANT FOR THE ENTIRE 8.4-MILE ROADWAY  
PROJECT AND NOT JUST FOR PHASE 1, THE PART THEY CAN AFFORD  
TO CONSTRUCT.**

**COMMENT INSERT**—THE ACOE PROJECT MANAGER SHAYNE HAYES BELOW, IN THE 09/2018  
PUBLIC NOTICE, STRESSED, USING MULTIPLE REFERENCES, THE FACT THAT THE APPLICATION  
REVIEW WOULD BE INCLUDING AN EVALUATION OF CUMULATIVE IMPACTS: “...based on  
an evaluation of the probable impact including cumulative impacts of  
the proposed activity” AND “...All factors which may be relevant to the  
proposal will be considered including cumulative impacts thereof.”

AND FINALLY, MR. HAYES STATED THAT THE “Evaluation...will also include application  
of the guidelines promulgated by the Administrator, EPA, under authority of  
Section 404(b) of the Clean Water Act.” THOSE GUIDELINES ARE EMPLOYED DUE TO  
REQUIREMENTS OF THE CEQ, AS WILL BE SEEN LATER IN THIS COMMENT, “THE ASSESSMENT  
OF CUMULATIVE IMPACTS IN NEPA DOCUMENTS IS REQUIRED BY COUNCIL ON  
ENVIRONMENTAL QUALITY (CEQ) REGULATIONS (CEQ, 1987).”

**COMMENT INSERT**—THE ACOE’S JACKSONVILLE DISTRICT REGULATORY GUIDANCE  
DOCUMENT BELOW VERY SPECIFICALLY REQUIRES THAT VERY SAME ASSESSMENT AND  
MITIGATION FOR ALL CUMULATIVE IMPACTS BY THE APPLICANT.

[https://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/Wetlands/Indirect%20Effects  
%20Guidance%20-%20Revised%20Memo%20for%20CESAJ-  
RD%20July%202015%20with%20Attachments.pdf](https://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/Wetlands/Indirect%20Effects%20Guidance%20-%20Revised%20Memo%20for%20CESAJ-RD%20July%202015%20with%20Attachments.pdf)

Jacksonville District, Regulatory Division Guidance  
for the Assessment of Indirect Effects and  
Impacts in Wetlands for Compensatory Mitigation under  
the National Environmental Policy Act and  
Section 404 of the Clean Water Act of 1972

Potential indirect effects on remaining adjacent wetlands reasonably anticipated to occur as a  
result of the direct impacts associated with activities authorized by a DA permit include those in

the three lists below, (1) Hydrology and Water Quality, (2) Vegetative Community, and (3) Fish, Wildlife and Habitats.

C. Potential indirect effects considerations for fish, wildlife, and habitats in the remaining adjacent wetland (Fish, Wildlife and Habitats):

1. Changes in wildlife usage of the wetland.
2. Fragments the wetland.
3. Creates a barrier between other wetland systems.
4. Changes in the availability of wildlife food sources.
5. Introduces a new noise source with the potential to affect adjacent areas.
6. Changes in shading streamside vegetation.
  7. Affects habitat (including critical habitat) for wildlife within the wetland.
  8. Affects migration of wildlife within a wetland, or between wetland and upland habitats.
  9. Affects the supply of food resources for wildlife using the wetland.
  10. Affects wildlife mortality.
11. Introduces light as a disturbance factor.
12. Other: \_\_\_\_\_

V. Determination of the scope of effects into remaining adjacent wetlands:

A. A key component of the assessment of indirect effects in remaining adjacent wetlands is reliance on professional experience and judgment to ensure an appropriate level of consideration has been given to the affected resources and that **reasonably anticipated effects on those affected resources are accurately identified**. Therefore, this section suggests, but does not dictate, the scope of effects used to assess indirect effects in remaining wetlands

The Corps will occasionally expand its scope of analysis (for NEPA, National Historic Preservation Act, Endangered Species Act, and any other laws related to its permit actions) to include **secondary impacts in areas outside the permit area**. This analysis will vary depending on resources affected. See Enclosure 6 for detailed examples of Scope of Analysis and Scope of Effect evaluation.

**COMMENT INSERT—THE ABOVE STATES THAT “REASONABLY ANTICIPATED EFFECTS...IN AREAS OUTSIDE THE PERMIT AREA” CAN BE ASSESSED AND MITIGATION REQUIRED TO OFFSET THOSE IMPACTS. THAT SHOULD BE DONE IN THIS RRE APPLICATION.**

B. NEPA - Definitions of indirect and secondary effects and impacts from the "Questions and Answers for FHWA NEPA" website at

<http://www.environment.fhwa.dot.gov/projdev/qaimpact.asp>:

**How and where are direct, secondary, indirect, and cumulative effects and impacts defined?**



The CEQ regulations (40 CFR §§ 1500 -1508) define the impacts and effects that must be addressed and considered by Federal agencies in satisfying the requirements of the NEPA process. **This includes direct, indirect and cumulative impacts:**

**Direct effects** are caused by the action and occur at the same time and place. (40 CFR §1508.8)

Indirect effects are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. (40 CFR § 1508.8)

**Cumulative impact** is the impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future **actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.**

Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR § 1508.7)

F. *Compensatory Mitigation for Losses of Aquatic Resources* was added to the Guidelines, as Subpart J in 2008 (73 FR 19687, April 10, 2008).

**COMMENT INSERT—AS STATED ABOVE, “...the incremental impact of the action...” IN THIS RRE APPLICATION ALSO MUST INCLUDE THOSE IMPACTS THAT WILL OCCUR AS A RESULT OF “...reasonably foreseeable future actions...” THAT MUST BE ASSESSED FOR THE ENTIRE PROPOSED PROJECT, ALL 8.4 MILES AND BOTH PHASES. THE APPLICANT CANNOT JUST ATTEMPT TO FULFILL THOSE REQUIREMENTS JUST FOR PHASE 1.**

**COMMENT INSERT—AND BELOW CONFIRMS THAT THE EPA MUST ALSO GIVE THEIR APPROVAL TO THE COMPLETE MITIGATION PACKAGE FOR ALL IMPACTS, DIRECT, INDIRECT AND CUMULATIVE FOR ALL PHASES.**

<https://www.epa.gov/sites/production/files/2014-08/documents/cumulative.pdf>

Consideration Of Cumulative Impacts In EPA Review of NEPA Documents  
U.S. Environmental Protection Agency,  
Office of Federal Activities (2252A) EPA 315-R-99-002/  
May 1999

PAGE 2

2. WHAT ARE CUMULATIVE IMPACTS?

Thus the cumulative impacts of an action can be viewed as the total effects on a resource, ecosystem, or human community of that action and all other activities affecting that resource no matter what entity (federal, non-federal, or private) is taking the actions .

CEQ's regulations (CEQ, 1987) explicitly state that cumulative impacts must be evaluated along with the direct effects and indirect effects of each alternative. By mandating the consideration of cumulative impacts, the regulations ensure that the range of actions that is considered in NEPA documents includes not only the project proposal but also all actions that could contribute to cumulative impacts.

Q. Do EPA reviewers have to prove that cumulative impacts are occurring if the issue of cumulative impacts is raised by a proposed project?

A. Ultimately, the action agency is responsible for determining whether cumulative impacts will occur. However, EPA reviewers should provide enough information in their comments to show the likelihood that cumulative impacts will occur. In order to make the case that the NEPA documents should include cumulative impact analysis, EPA comments need only to show the potential for cumulative impacts to occur, not absolute proof that such impacts will take place. EPA reviewers should use existing data to support an argument for considering cumulative impacts in the document.

PAGE 10

4.3 Past, Present, and Reasonably Foreseeable Future Actions EPA Review Approach

PAGE 13

In all of these cases, the best information should be used to develop scenarios that predict which future actions might reasonably be expected as a result of the proposal.

## **SECTION PROVIDING EVIDENCE THAT THE APPLICANT CANNOT POSTPONE THE ASSESSMENT OF DIRECT, INDIRECT AND CUMULATIVE IMPACTS TO SOME FUTURE ENTITY AND TIME.**

**COMMENT INSERT—IN 2012, AND AGAIN IN 2017, TWO ACOE SECTION CHIEFS, ONE ALSO BEING THE CURRENT PROJECT MANAGER, TOLD PASCO IN NO UNCERTAIN TERMS THAT THEY WERE RESPONSIBLE FOR ASSESSING AND MITIGATING FOR ALL IMPACTS TO BE CAUSED BY THE PROPOSED RRE. THE FIRST WAS KEVIN O’KANE IN 2012:**



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
10117 PRINCESS PALM AVENUE, SUITE 120  
TAMPA, FLORIDA 33610

July 23, 2012

REPLY TO  
ATTENTION OF

Tampa Permits Section  
SAJ-2011-00551 (IP-TEH)

Ms. Michele Baker  
Pasco County Board of County Commissioners  
7530 Little Road, Suite 320  
New Port Richey, Florida 34654

Mr. John Post, Jr.  
Florida Department of Transportation  
Florida's Turnpike Enterprise  
Post Office Box 613069  
Orlando, Florida 34761

Dear Ms. Baker and Mr. Post:

PASCO WAS TOLD 6 years  
ago THAT IT did NOT  
MATTER who undertook A  
reasonably foreseeable ACTION.  
They cannot relegate Assessment  
of future "foreseeable" impacts to  
some future unknown  
entity.

Cumulative and Secondary Impacts

21. Please provide an assessment of secondary effects. Secondary effects are those caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable.
22. Please provide an assessment of cumulative effects. Cumulative effects are the impacts on the environment that result from the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other action. Please find attached (Attachment 6) Table 1-5 from the Council on Environmental Quality's Considering Cumulative Effect Under the National Environmental Policy Act (1997) that outlines the steps of this analysis.

The Corps requests that you provide the information outlined above within 30 days of the date of this letter. If no response is received, we will assume you have no further interest in obtaining a Department of the Army permit and the application will be withdrawn.

Should you have any questions or comments regarding this letter, please contact Tracy Hurst of my staff at the letterhead address, by phone at 813-769-7063, or by electronic mail at [Tracy.E.Hurst@usace.army.mil](mailto:Tracy.E.Hurst@usace.army.mil).

Sincerely,

*Kevin D. O'Kane*

**COMMENT INSERT—THE SECOND WAS THE CURRENT PROJECT MANAGER AND PENSACOLA SECTION CHIEF SHAYNE HAYES IN 2017.**

**DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
PENSACOLA REGULATORY OFFICE  
41 NORTH JEFFERSON STREET, SUITE 301  
PENSACOLA, FLORIDA 32502-5794**

May 11, 2017  
Regulatory Division  
North Permits Branch  
Pensacola Permits Section  
SAJ-2011-00551 (SP-TSH)  
Pasco County Board of County Commissioners  
Attn: Margaret W. Smith, P.E.  
8731 Citizens Drive, Suite 321  
New Port Richey, FL 34654  
Mr. Martin Horwitz, Environmental Administrator  
Florida Department of Transportation  
Florida's Turnpike Enterprise  
P.O. Box 613069  
Ocoee, FL 34761  
Dear Ms. Smith and Mr. Horwitz:

7. Please provide an updated compensatory mitigation proposal that would offset all direct and indirect wetland impacts associated with all aspects of the proposed project, including the interchange with Suncoast Parkway.

9. Please provide a final assessment of cumulative and indirect effects that would result from the construction of the Modified 7 alternative.

**COMMENT INSERT—PASCO DID PROVIDE THAT CUMULATIVE IMPACTS REPORT IN 06/2019, STATING THAT THERE WOULD BE 207-ACRES MOL OF ADDITIONAL INDIRECT IMPACTS ON PHASE 2 CAUSED BY THE CHANGE FROM LIMITED ACCESS TO ARTERIAL AND THE ADDITION OF INTERSECTIONS THAT WOULD OPEN UP ALMOST 7,000 ACRES TO FULL ON/OFF ACCESS. BUT THEY ACCEPTED NO RESPONSIBILITY FOR THOSE ADDITIONAL IMPACTS AND PROVIDED NO PROPOSED MITIGATION.**

**SINCE # 7 ABOVE REQUIRES THAT PASCO "... provide an updated compensatory mitigation proposal that would offset all direct and indirect wetland impacts associated with all aspects of the proposed project..." AND THERE IS NOWHERE WE CAN FIND THAT MITIGATION PROPOSAL FOR ALL ASPECTS OF THE RRE'S 8.4-MILE LENGTH. THAT REQUIREMENT WENT UNFULFILLED.**

**NO PERMIT CAN BE FINALIZED UNLESS THE APPLICANT PROVIDES ALL OF THE REQUIRED INFORMATION TO THE ACOE. WHETHER OR NOT THAT LACK OF RESPONSE WILL END UP IN A DENIAL IS ENTIRELY UP TO THE ACOE.**

**CONTINUING WITH MR. HAYES' RAI:**

10. In a letter dated May 19, 2008, Pasco County responded to Corps' and EPA concerns regarding potential cumulative impacts associated with planned Ridge Road Extension access to two mixed-use parcels located approximately 3,275 east of the Suncoast Parkway. **The County advised that it intended to require conservation easements along the perimeter of these two parcels to prevent access to other adjacent parcels, thereby reducing cumulative environmental impacts.** Please provide a draft conservation easement and supporting exhibits that depict the boundary of the two mixed-use parcels and the location of the conservation easements. The conservation easement(s) should, at a minimum, meet the following requirements:

**COMMENT INSERT—THE COUNTY ADMITTED TO SECTION CHIEF HAYES ABOVE THAT THERE WILL BE "...cumulative environmental impacts..." THAT WILL OCCUR IF ACCESS IS ALLOWED TO THE ALMOST 7,000-ACRE PARCEL PHASE 2 WILL TRAVERSE. THEY HAVE FORCED THEMSELVES, BY THAT ADMISSION, TO ALSO ADMIT THAT THE QUANTIFICATION OF THOSE CUMULATIVE IMPACTS MUST BE DONE. AND SINCE PASCO AND THE FTE ARE COAPPLICANTS, IT IS THEY WHO MUST PROVIDE THAT INFORMATION AND A MITIGATION PLAN FOR THOSE IMPACTS. ONLY THEN CAN THE TOTAL MITIGATION NUMBER BE KNOWN, AND ONLY THEN CAN THE ACOE AND EPA APPROVE OR CHALLENGE THAT NUMBER, SO THAT FORMAL CONSULTATION CAN BEGIN WITH THE USFWS.**

Sincerely,

Shayne Hayes  
Project Manager

Copies Furnished:

Sam Beneck, Pasco County  
Dwight Beranek, Dawson Associates  
Dave Barrows, Dawson Associates  
Tom Montgomery, NV5  
Clif Payne, Jacksonville District Corps  
Debbie Wegmann, Jacksonville District Corps

**SECTION PROVIDING EVIDENCE THAT THE APPLICANT CANNOT IGNORE THE REQUIREMENTS OF FEDERAL LAW AND SUGGEST THAT STATE LAWS (SWFWMD ERP'S) BE USED AS A SUBSTITUTE. THE LAWS ARE VERY DIFFERENT. IF THE ACOE SAYS AN ITEM IS A REQUIREMENT, THE APPLICANT CANNOT SAY THE STATE AGENCIES WILL TAKE CARE OF THAT. IT DOES NOT WORK THAT WAY.**

**COMMENT INSERT**— FROM THE SAME LETTER ABOVE, SHAYNE HAYES VERIFIES THE ABOVE STATEMENT.

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
PENSACOLA REGULATORY OFFICE  
41 NORTH JEFFERSON STREET, SUITE 301  
PENSACOLA, FLORIDA 32502-5794

May 11, 2017

Regulatory Division  
North Permits Branch  
Pensacola Permits Section  
SAJ-2011-00551 (SP-TSH)  
Pasco County Board of County Commissioners  
Attn: Margaret W. Smith, P.E.  
8731 Citizens Drive, Suite 321  
New Port Richey, FL 34654  
Mr. Martin Horwitz, Environmental Administrator  
Florida Department of Transportation  
Florida's Turnpike Enterprise  
P.O. Box 613069  
Ocoee, FL 34761  
Dear Ms. Smith and Mr. Horwitz:

adjacent wetlands, without a Department of the Army permit could subject you to enforcement action. Receipt of a State permit does not obviate the requirement for obtaining a Department of the Army permit for the work described above prior to commencing work.

Sincerely,

Shayne Hayes  
Project Manager  
Copies Furnished:

Sam Beneck, Pasco County  
Dwight Beranek, Dawson Associates  
Dave Barrows, Dawson Associates  
Tom Montgomery, NV5  
Clif Payne, Jacksonville District Corps  
Debbie Wegmann, Jacksonville District Corps

## **SECTION PROVIDING EVIDENCE THAT THE REVIEW OF AN APPLICATION CANNOT BE SEGMENTED.**

**COMMENT INSERT**—BECAUSE OF THE ACOE STATED PROJECT PURPOSE TO GO EAST TO US 41, EACH OF THE TWO PHASES HAS NO “INDEPENDENT UTILITY,” AND THE REVIEW OF THE APPLICATION MUST BE FOR THE ENTIRE PROJECT, IT CANNOT BE SEGMENTED. ALL IMPACTS, PAST, PRESENT AND IN THE FORSEEABLE FUTURE, AND A COMPLETE MITIGATION PLAN TO OFFSET THOSE IMPACTS, MUST BE ACCOMPLISHED BY THE APPLICANT.

THE NEPA DOCUMENTS REFERENCED BELOW ALL REQUIRE THAT THE REVIEW OF AN APPLICATION NOT BE SEGMENTED. THEY ARE FOUND AT 40 C.F.R. § 1508.25, 40 C.F.R. § 1508.25(a)(1)(i)-(iii) AND 40 C.F.R. § 1508.25(a)(3). THE WEBSITE BELOW SHOWS HOW THOSE 40 CFR REFERENCES ARE EMPLOYED IN A LAWSUIT FILED AGAINST THE ACOE BY THE SIOUX INDIAN TRIBE.

<https://turtletalk.files.wordpress.com/2018/03/292-yankton-sioux-tribe-motion-for-summary-j.pdf>

### **40 C.F.R. § 1508.25**

40 CFR Ch. V (7–1–04 Edition)

Case 1:16-cv-01534-JEB Document 292 Filed 11/13/17

Page 16 of 54

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA STANDING ROCK SIOUX TRIBE, Plaintiff, and CHEYENNE RIVER SIOUX TRIBE, Intervenor-Plaintiff, v. U.S. ARMY CORPS OF ENGINEERS, Defendant, and DAKOTA ACCESS, LLP, Intervenor-Defendant. Case No. 1:16-cv-1534-JEB [Consolidated with 1:16-cv-1796 and 1:17-cv-267] PLAINTIFFS YANKTON SIOUX TRIBE AND ROBERT FL YING HAWK'S MEMORANDUM IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY JUDGMENT

### **1. Segmentation is Not Allowed.**

To fulfill its NEPA duties, an agency may not "segment" its analysis to conceal the environmental significance of a project. Hammond v. Norton, 370 F. Supp. 2d 226, 244 (D.D.C. 2005). An agency

unlawfully segments NEPA review when it "divides connected, cumulative, or similar federal actions into separate projects and thereby fails to address the true scope and impact of the activities that should be under consideration." Del. Riverkeeper Network v. Fed. Energy Regulatory Comm'n, 753 F.3d 1304, 1313 (D.C. Cir. 2014). "[W]hen determining the contents of an EA or an EIS, an agency must consider all 'connected actions,' 'cumulative actions,' and 'similar actions.'" Id. (citations omitted). Segmentation allows an agency to "avoid the NEPA requirement that an EIS be prepared for all major federal actions with significant environmental impacts by dividing an overall plan into component parts, each involving action with less significant environmental effects." Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 298 (D.C. Cir. 1987). The rule against segmentation was developed to ensure that the environmental significance of a proposed project could not be concealed by segmenting components of the projects in separate NEPA evaluations. See Hammond, 370 F. Supp. 2d at 244; Del. Riverkeeper, 753 F.3d at 1313. "[T]he anti-segmentation rule is generally that an agency 'cannot evade [its] responsibilities' under the National Environmental Policy Act by 'artificially dividing a major federal action into smaller components, each without a 'significant impact.'" Fla. Wildlife Fed'n v. United States Army Corps of Eng'rs, 401 F. Supp. 2d 1298, 1313 (S. Dist. Fla. 2005) (quoting PEACH v. U.S. Army Corps, 87 F.3d 1242, 1247 (11th Cir. 1996)). It "is intended to prevent 'agencies from dividing one project into multiple individual actions, 'each of which individually has an insignificant environmental impact, but which collectively have a substantial impact.'"" Id. (quoting Natural Resources Defense Council, Inc. v. Hodel, 865 F.2d 288, 297-98 (D.C. Cir. 1988) (quoting Thomas v. Peterson, 753 F.2d 754, 758 (9th Cir. 1985))).

2. If Actions are Connected or Similar, those Actions Must be Considered in One Comprehensive NEPA Analysis. Accordingly, if actions are connected or similar, NEPA requires agencies to consider these actions in one comprehensive NEPA analysis. 40 C.F.R. § 1508.25.

**THAT CONCLUDES COMMENT # 32.**

**RESPECTFULLY SUBMITTED,**

Dan & Sara Rametta  
Richard Sommerville  
Save Our Serenova  
Citizens For Sanity.Com,Inc.  
& The Commenters Group

cc: Brigadier General Diana M Holland, Commander, South Atlantic Division  
Clif Payne, Chief, Special Projects and Enforcement Branch  
Shayne Hayes, Project Manager  
Joshua R. Holmes, Principal Assistant District Counsel for Regulatory  
Christina Storz, Assistant District Counsel  
Cynthia F. Van Der Wiele, Ph.D, USEPA, Region 4  
Annie Dziergowski, USFWS Project Consultation Supervisor  
Jacob.A.Siegrist, Regulatory Appeals Review Officer  
Edgar.W.Garcia, Project Reviewer



## **APPENDIX**

### **EVIDENCE OF TWO PAST PASCO ROADWAY PROJECTS WITH VERY HIGH PRIVATE PROPERTY IMPACTS AND COSTS TO PASCO THAT DWARF THOSE OF THE TOWER ROAD ALTERNATIVE.**

#### **THE STATE ROAD 54 PROJECT IN 2012.**

EVIDENCE OF PASCO'S ADDING 4 LANES TO 3.2 MILES OF STATE ROAD 54 EAST OF I-75 IN 2012 AT A COST OF \$102.5 MILLION. THE FDOT CONTRIBUTED ONLY \$14 MILLION. IT REQUIRED THE PURCHASE OF 110 PARCELS, TWO GAS STATIONS AND PARTS OF TWO OTHERS REQUIRING ADDITIONAL RECONFIGURATION COSTS. HOW CAN THE 12 RELOCATION PARCELS FOR THE TOWER ROAD ALTERNATIVE # 10 EVEN BEGIN TO COMPARE TO THOSE NUMBERS AND PROPERTY IMPACTS?

**COMMENT INSERT**—BELOW ARE PRESS AND PASCO COUNTY DATA SOURCES RELATED TO THIS PROJECT. THE TBO WEBSITES NO LONGER WORK SINCE THAT PAPER WAS BOUGHT OUT YEARS AGO.

<http://lakerlutznews.com/lin/?p=9004>

#### **SR 54 widening project complete**

**January 18, 2012** By The Laker/Lutz News Staff

By Kyle LoJacono  
[klojacono@lakerlutznews.com](mailto:klojacono@lakerlutznews.com)

A little more than 20 months ago the most expensive road project in Pasco County history began — the widening of SR 54 through Wesley Chapel.

The \$105.2 million job was recently completed months ahead of schedule and brings with it the promise of a more connected county.

The county's Chief Project Manager Robert Shepherd added, "They got ahead of schedule fast and stayed ahead of schedule. It was as smooth as a major road job can be."

The newly improved roadway is now six lanes from I-75 to Curley Road, a stretch of about 3.2 miles. The overall construction and planning/design was only \$31 million, but cost to buy land along the state road cost Pasco an additional \$74.2 million. Mulieri said the land was very expensive because several businesses had to be bought out to complete the job.

Another twist in the construction was the closing of all the gas stations within the 7-mile span of SR 54 from Morris Bridge Road/Eiland Boulevard in Zephyrhills to I-75 in Wesley Chapel.

Two of the stations had to be permanently shut down because of the widening, while the Hess near Bruce B. Downs Boulevard and Citgo on Boyette Road had to close for several months because of the safety hazard created by the large construction equipment near the gas tanks.

AND

## S.R. 54 widening to begin

Kevin Wiatrowski kwiatrowski@tampatrib.com

Published: March 19, 2010

Updated: March 20, 2013 at 05:34 PM

WESLEY CHAPEL - The widening of State Road 54, Pasco County's busiest east-west thoroughfare, officially will begin in 10 days.

County engineer Jim Widman announced the date Tuesday as county commissioners formally hired Pinellas County-based Pepper Contracting Services to expand S.R. 54 from two lanes to six between Interstate 75 and Curley Road.

**The widening has become one of the most expensive road projects Pasco County has undertaken. That's largely because of right-of-way costs, which soared beyond the planned \$60 million budget** as dozens of landowners fought condemnation proceedings. By the time it's finished, the widening of S.R. 54 is likely to cost the county more than \$100 million, Gallagher said.

WIDENING COSTS :Planning and design: \$3 million . **Right of Way \$74.2 million.**

Construction: \$28 million. **Total: \$105.2 million**

Source: Pasco County Project Management Division

AND

<http://www.tbo.com/pasco-county/road-not-taken-can-be-costly-57587>

## Road not taken can be costly

Kevin Wiatrowski kwiatrowski@tampatrib.com

Published: October 31, 2009

Updated: March 23, 2013 at 04:51 PM

WESLEY CHAPEL - With months to go before construction starts, the widening of State Road 54 is already shaping up to be one of the most expensive road projects Pasco County has undertaken. **As of Monday, county officials had spent about \$65 million buying land and paying business damages to property owners along S.R. 54 between Interstate 75 and Curley Road, County Administrator John Gallagher said.** County officials will accept bids next month for widening the chronically congested highway, the main artery linking commuters in Wesley Chapel and Zephyrhills to I-75. Construction is scheduled to begin early next year and take about 24 months. **The county now owns outright about half the 110 parcels it needs to widen the road to six lanes.**

Right of way costs for the project already have exceeded the \$60 million the county budgeted. The state Department of Transportation contributed nearly \$14 million to that total. As pending lawsuits get resolved, those additional costs will fall on the county, said Deborah Bolduc, who oversees the county's road projects.

For another, the nature of the land the county is taking - such as parts of four gas stations - means the county must pay a lot to restore the properties. That can mean moving underground fuel tanks or reconfiguring buildings. Lastly, all but 15 of the 110 landowners affected by the project have chosen to fight the county's condemnation effort, racking up lawyers' bills, competing appraisals, surveys and other costs for both sides - all of which the county covers.

**AND**

<https://www.google.com/#q=state+road+54+widened+to+6+lanes+in+wesley+chapel+relocations>

## SR 54 widening in Wesley Chapel to ease maddening Jams

In Print: Thursday, March 18, 2010

At a price tag of approximately \$100 million, the county is about to widen State Road 54 from Interstate 75 east to Curley Road.

County Administrator John Gallagher called it monumental. County engineer James Widman labeled it the worst traffic problem in the county.

The construction cost is listed at \$28.1 million. The county spent roughly \$70 million to obtain right of way in the heavily developed area.

## **THE CHANCEY PARKWAY PROJECT IN 2004.**

**COMMENT INSERT--IN 2003 – 2004 PASCO CONSTRUCTED A ROADWAY PROJECT CALLED THE CHANCEY PARKWAY WHICH WAS PREVIOUSLY DISCUSSED IN A DIFFERENT CONTEXT. AN UNABRIDGED DISCRPTION OF THIS PROJECT WAS SUBMITTED IN OUR PAST COMMENT # 11. IT WAS 6.8 MILES LONG. IT IMPACTED 52 PARCELS AND REQUIRED 24 RELOCATIONS.**

**WHEN THE COUNTY APPROVED THE CHANCEY PARKWAY, IT HAD OVER TWICE THE ROW IMPACTS WHEN COMPARED TO THE TOWER ROAD ALTERNATIVE # 10 (52 VS 20) AND TWICE THE ROW RELOCATIONS (24 VS 12), NOT TO MENTION THE RELOCATION OF THE ENTIRE FIRE STATION # 16 INVOLVING THE REMOVAL OF 3 UNDERGROUND FUEL TANKS. IT ALSO REQUIRED THE CONSTRUCTION OF 6 CUL-DE-SACS. HAS PASCO FORGOTTEN THEIR PAST HISTORY? HOW CAN PASCO MAINTAIN THAT THE 20 RESIDENTIAL IMPACTS FOR THE TOWER ROAD ALTERNATIVE ARE MORE LIMITING THAN WERE THE 52 PRIVATE PROPERTY IMPACTS FOR THE CHANCEY PARKWAY?**

**THE SOURCES BELOW VERIFY THE FACTUAL POINTS OF THAT PAST PROJECT IN 2003 – 2004. THE DEVELOPMENT AGREEMENT IS AT:**

<https://www.pascocountyfl.net/DocumentCenter/View/20306/Chancey-DA-6-25-15?bidId=>

**AND:**

<http://www.pascocountyfl.net/documentcenter/view/1964>

CHANCEY PARKWAY From SR 581 to CR 579, Morris Bridge Road Pasco County, Florida FINAL ROUTE STUDY Prepared for: Pasco County Board of County Commissioners Pasco County Government Complex 7530 Little Road, Suite 320 New Port Richey, Fl. 34654 Prepared by: Reynolds, Smith & Hills, Inc. 1715 North Westshore Boulevard, Suite 500 Tampa, Florida 33607

**AUGUST 2003**

### **EXECUTIVE SUMMARY**

Segment III traverses the Fox Ridge Subdivision and is approximately 2,600 feet long. Segment III is proposed for design and construction by Pasco County, thus a thorough analysis of the alternatives and associated property impacts, environmental impacts, and costs is essential for proper Board selection of an alignment. Alignments through Segment III were limited to two alignments. Alignment A, the more northerly route, and a combination of Alignments B and C, the more southerly route through Fox Ridge. **Alignment B/C through Segment III was determined to present the least property and environmental impacts and at the lowest costs, therefore, was selected as the Preferred Alignment...This ultimately increased the overall residential impacts and project costs of the Preferred Alignment above that of Alignment B/C, but are viewed as necessary impacts.**

## 1.0 INTRODUCTION

This Route Study is being completed for the Pasco County BOCC to determine needed improvements for Chancey Road from SR 581 to Morris Bridge Road, a distance of approximately 6.5 miles.

### **AND BELOW IS AT:**

<http://www.pascocountyfl.net/documentcenter/view/1964>

CHANCEY PARKWAY From SR 581 to CR 579, Morris Bridge Road Pasco County, Florida FINAL  
ROUTE STUDY

### **5.8.1 Right of Way Impacts**

Each of the Build Improvements would require the acquisition of right of way to allow the road to be constructed. Each of the improvements would also have a number of relocations. The relocations have been summarized into three categories: residential, business, and non-profit. The number of relocations for each improvement are indicated in the Evaluation Matrix, Table 5-5.

Alignments A and B would result in 24 residential and one community services relocation (Fire Station #16) and Alignment C would result in 47 residential and no community services relocations. There would be no business relocations for any of the alignments under consideration.

The Build Alignments would require right of way from between 52 and 79 parcels.

### **5.8.2 Alignment Costs**

Costs have been estimated for the right of way needed to construct each of the build alignments. These costs include right of way acquisition, design, construction, and construction engineering inspection.

#### **5.8.2.1 Right of Way Costs**

Right of way costs including amounts for land and buildings were estimated for each parcel impacted. Relocation costs were estimated as 25% of the building cost. These relocation costs are included in right of way costs listed in Table 5-5. Due to the lower elevation of some areas within the project area in relation to the 100-year floodplain, some of the ponds required to treat stormwater runoff may need to be located in the 100-year floodplain. In those instances, it will be necessary to purchase adjacent land above the 100-year floodplain to compensate for floodplain impacts. Costs to acquire land for this floodplain compensation have been identified, where appropriate, and have been included in the right of way cost estimate. The right of way costs varied from \$3,139,000 for Alignment A (North Alignment) to \$3,604,000 for Alignment C (South Alignment).

**5.8 EVALUATION MATRIX** An evaluation matrix has been prepared to summarize the potential impacts for the build improvements under consideration. The Evaluation Matrix is provided in Table 5-5. Items included in the matrix include the right of way width proposed for each alignment, number of lanes to be provided, project length, and environmental impact summary for each alignment.

Table 5-5. Evaluation Matrix

CHANCEY PARKWAY

| EVALUATION FACTORS                                      | Alignment A          | Alignment B          | Alignment C          |
|---------------------------------------------------------|----------------------|----------------------|----------------------|
| Right of Way Width (feet) from SR581 to Tina Marie Dr.  | 140                  | 140                  | 140                  |
| Right of Way Width (feet) from Tina Marie Dr. to CR 579 | 120                  | 120                  | 120                  |
| Number of Lanes                                         | 4                    | 4                    | 4                    |
| Project Length (miles)                                  | 6.83                 | 6.82                 | 6.84                 |
| <b>Wetlands</b>                                         |                      |                      |                      |
| Impacted (Acres)                                        | 16.9                 | 16.0                 | 10.2                 |
| Creation (Acres)                                        | 41.0                 | 41.0                 | 24.9                 |
| Potential Contamination Sites                           | 1                    | 1                    | 0                    |
| <b>Potential Relocations</b>                            |                      |                      |                      |
| Residential                                             | 24                   | 24                   | 47                   |
| Business                                                | 0                    | 0                    | 0                    |
| Non-Profit <i>FIRE STATIONS WITH GAS TANKS</i>          | 1                    | 1                    | 0                    |
| <b>Right of Way Impacts</b>                             |                      |                      |                      |
| Number of Parcels                                       | 52                   | 52                   | 79                   |
| Acres                                                   | 116.6                | 114.8                | 116.60               |
| <b>Estimated Project Costs</b>                          |                      |                      |                      |
| Right-of-way (including relocation costs)               | \$ 3,139,000         | \$ 3,308,000         | \$ 3,604,000         |
| Design (15%)                                            | \$ 2,784,000         | \$ 2,780,000         | \$ 2,788,000         |
| Construction                                            | \$ 18,559,000        | \$ 18,532,000        | \$ 18,586,000        |
| Construction Engineering Inspection (10%)               | \$ 1,856,000         | \$ 1,853,000         | \$ 1,859,000         |
| Wetland Mitigation                                      | \$ 446,000           | \$ 446,000           | \$ 271,000           |
| <b>Total Project Costs</b>                              | <b>\$ 26,784,000</b> | <b>\$ 26,919,000</b> | <b>\$ 27,108,000</b> |

Note: Costs in the table are in year 2002 dollars.

Source: Pinson County Cost Estimate Basis, Lane Mile Costs 01/10/91, RS&amp;H 2002

Date: August 10, 2003

I:\4041837\000Chancey\Report\ematrix.xls\Table5-5

The final preferred Alternative was a combination of A & B.



**COMMENT INSERT—BELOW IS OUR COMPARISON BETWEEN THE CHANCEY PARKWAY IMPACTS AND THE ALTERNATIVE # 10, 4-LANE TOWER ROAD IMPACTS.**

COMPARISON TABLE BETWEEN 4-LANE TOWER ROAD ALT. # 10 & CHANCEY PARKWAY:

|                   | TOWER ROAD ALT. # 10               | CHANCEY PARKWAY<br>(Alignment A & B) |
|-------------------|------------------------------------|--------------------------------------|
| TOTAL DISTANCE    | Around 11 miles (Pasco never says) | 6.83 miles                           |
| ROW RELOCATIONS   |                                    |                                      |
| RESIDENTIAL       | 14                                 | 24                                   |
| BUSINESS          | 0                                  | 0                                    |
| NON-PROFIT        | 0                                  | (FIRE STATION—with buried gas tanks) |
| ROW IMPACTS       |                                    |                                      |
| NUMBER OF PARCELS | 21                                 | 52                                   |
| RESIDENTIAL       | 8                                  | Pasco does not say                   |
| BUSINESS          | 1                                  | 0                                    |

Chancey Parkway caused 52 Row impacts + 24 relocations

Tower Rd ALT #10 will cause 21 Row impacts + 14 relocations

Chancey Parkway caused Almost Twice the # of relocations in 1/2 the distance (6.8mi vs 11mi.)

So how can Pasco maintain that ALT #10 has prohibitive "logistical obstacles" that make it impracticable?

**COMMENT INSERT—BELOW IS AN EXAMPLE OF A 2015-2016 FDOT PROJECT THAT USED THE SAME TYPE OF MODIFICATION OF AN EXISTING ROADWAY AS WAS USED IN THE CHANCEY PARKWAY PROJECT. SIMILAR RECONFIGURATIONS CAN EASILY BE USED FOR THE CURRENTLY ALREADY CONSTRUCTED AND IN USE PORTIONS OF TOWER ROAD ALTERNATIVE # 10. THE FDOT STATED THAT:**

**“The existing roadway structure will be rehabilitated and utilized in the future cross-section.”**

## **THE FDOT APPROVED WILDWOOD PROJECT.**

**THE FOLLOWING 2 PAGES ARE FROM THE SUMPTER COUNTY WEBSITE AND SHOWS THAT THE SAME ROW PLACEMENT PROTOCOL WAS USED IN THIS 4-LANE WILDWOOD PROJECT AS WAS USED IN THE CHANCEY PARKWAY PROJECT.**

<http://sumtercountyfl.gov/AgendaCenter/ViewFile/Item/5298?fileID=12216>

5. Project Description: a. Project Scope/Description (please be as detailed as possible): **This project includes roadway widening and reconstruction of approximately 1.15 mile of roadway from CR 209 to US 301 within the City limits of Wildwood.** The existing roadway is a two-lane undivided transitioning major county collector roadway with narrow travel lanes (10.5 feet) and no paved shoulders. The final roadway configuration will include one 12-foot travel lane in each direction, a center left-turn lane, and bike lanes and sidewalks on both sides of the roadway. The proposed roadway section includes an urban curb and gutter system. **The existing roadway structure will be rehabilitated and utilized in the future cross-section.** The project is currently in the design phase. Right-of-way acquisition is needed from the eastern parcels adjacent to the roadway, as well as two pond sites. Right-of-way acquisition is anticipated in fiscal year 2014/2015. Construction is anticipated in fiscal year 2015/2016.